

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 25 and 52-59 are requested to be canceled without prejudice or disclaimer.

Claims 60-71 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 60-71 are now pending in this application.

**Rejections under 35 U.S.C. 103**

Claims 1, 25, 52-53 and 55-59 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over WO 00/67514 to Honkala (hereinafter “Honkala”) in view of U.S. Patent Number 7,039,027 to Bridgelall (hereinafter “Bridgelall”) in further view of Janise McNair et al. “An Inter-System Handoff Technique for the IMT-2000 System,” 2000, pp. 208-216 (hereinafter “McNair”). Claim 54 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honkala and Bridgelall and further in view of U.S. Patent No. 7,039,409 to Lobinger et al. Claims 1, 25 and 52-59 are requested to be canceled without prejudice or disclaimer.

**New Claims**

New claims 60-71 are added. Support for the subject matter of claims 60-71 may be found in the originally filed specification and drawings at, for example, Figures 4 and 8 and

the associated description. Further, claims 60-71 are believed to be patentable over the cited references for at least the reasons that follow.

Embodiments of the present invention provide a system in which two technology networks can be operated by different operators, and the operators do not have to have any knowledge of the topology of the other network. The responsibility to decide on and control the handover between a first technology network and a second technology network is handled by the mobile node, and information for deciding on the handover is detected by the mobile node. Thus, the mobile node itself decides to initiate a handover procedure between technology networks, which requires that the decision to initiate the procedure constitute an automatic process. In accordance with the pending claims, the decision on the handover is completely on the mobile node side which detects border information in a beacon of a first signal received from an access node to which the mobile node is connected and a signal strength from a second signal received from the access node. If the border information indicates that the mobile node is in a non-border region and if the signal strength is below a predetermined threshold, the mobile node waits for a predefined time. After the predefined time has passed, the mobile node detects a signal strength from a third signal received from the access node. If the signal strength is still below a predetermined threshold, the mobile node initiates handoff from a first technology network to a second technology network. Accordingly, independent claim 60 recites “waiting for a predefined time” if the border information indicates that the mobile node is in a non-border region and if the signal strength is below a predetermined threshold. Independent claims 65, 70 and 71 each recite a similar feature.

The cited references fail to teach or suggest at least this feature. Specifically, Honkala discloses a method for handing off a mobile station from an internal cellular network to an external cellular network having a network controller. At least one cell of the internal network is allocated as a border cell, and movement of the mobile station into the border cell may be detected. An advance hand-off request is generated in accordance with a prediction algorithm which uses a set of predetermined parameters associated with the mobile station.

Further, Bridgelall discloses the regular scheduled beacons at access points in order to provide automatic vertical roaming between a WLAN and WWAN. This is accomplished by maintaining active voice or data connection on a first network while detecting second network availability. Thus, the access point providing the beacon is not currently or previously connected to the mobile station which is changing connection, as the connection within Bridgelall is maintained during transition.

Finally, McNair discloses a system in which a mobile terminal may be handed off between boundary cell base stations either within one network or between two networks. In accordance with the disclosure of McNair, each switch on an intersystem boundary maintains a list of the boundary cell base stations of a first network and a list of the boundary cell base stations of a second network. The identity of the previous base station is checked with these two lists to determine movement information of the mobile node.

Thus, none of the cited references teach or suggest at least the above-noted feature of the pending claims. Accordingly, independent claims 60, 65 and 70-71 are patentable. Claims 61-64 and 66-69 each depend from one of allowable claims 60 and 65 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

### **Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid

amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 7 April 2009 \_\_\_\_\_ By /G. Peter Albert, Jr./ \_\_\_\_\_

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